

variants of two different species are described with the same words, but the two species themselves are not described.

Férussac did not use the term 'var' in his (1821) work, but he did on labels in his collection in the case of '*Helicigona barbata* var β) Brunnea', as mentioned by Gittenberger & Groh (1986) and myself (BZN 47: 102).

Gittenberger & Groh's (1986) error referred to by me concerns only the inclusion in their list of syntype material of several lots of specimens of *Lindholmiola lens* which were not included in the 1821 or 1832 publications of the names *barbata* or *lens* respectively. A further error was that the term ' β) Brunnea' was considered by them to be part of the original diagnosis of *Lindholmiola barbata* and yet was listed simultaneously as the name of a variety on a label of one lot of 'syntypes' of *L. lens*.

I accept that Gittenberger's new view, that *barbata* α (1821) and *barbata* var. α (1832) are both *Lindholmiola barbata* from Kolpos Soudhas ('La Sude'), is possibly true. In this case the diagnosis of *barbata* α ('minus depressa') has to be taken to mean 'smaller and depressed' instead of 'less depressed' (i.e. the opposite of what I (BZN 47: 102) assumed). However, this does not alter the nomenclatural situation.

The question whether acceptance of the interpretation of Férussac (1821) proposed above upsets the stability of nomenclature in other cases should not be considered and has no bearing on this case. It may well be that additional applications to the Commission are required in connection with Férussac's other names; in the long run stability will best be served by a consistent application of the Code to problematical works.

The Commission could rule that *barbata* is available from 1821 instead of 1832, but such a ruling would require the use of the plenary powers to suspend Articles 12a and 72b(i). No advantage would be gained by this additional ruling and I therefore wish to retain my original application.

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In Opinion 336 (March 1955) *Helix lens* Férussac was ruled to be available from 1832, when the species was figured (pl. 66*, fig. 2), and not from 1821, when it was a nomen nudum. The date for pl. 66* followed that given by Kennard (1942, p. 110), and the name was included on the Official List of Specific Names in Zoology as '*lens* Férussac [1832]'.

The proposal to place *Helix lens* Férussac, 1832 on the Official List (BZN 47: 103, para. 8) is therefore withdrawn from the present application.

Comments on the proposed confirmation of unavailability of the name *Fusus Helbling*, 1779 (Mollusca, Gastropoda)

(Case 2729; see BZN 48: 92–96)

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I do not agree with the authors of this application that *Fusus Helbling*, 1779 is not a subgeneric name. All the arguments provided in favour of considering *Fusus* a

'cheironym' are based on speculations about Helbling's concepts. In the case of the intermediate names of Linnaeus and Fabricius the Commission made a special ruling (Opinion 279). In that Opinion Hemming (1954, p. 183) said 'I recognize that, in addition to Linnaeus and Fabricius, a number of xviii-century authors placed between the generic and specific names of species intermediate terms identical in character with those which it is now asked should be rejected...'. Hemming continued 'it will be necessary for the specialists encountering these difficulties [in other cases] to make special application to the International Commission' for the suppression of the intermediate term concerned.

In my opinion Helbling's name *Fusus* is to be treated as a subgeneric name, unless it is suppressed under the plenary powers of the Commission. Glibert's action in 1963 to declare *Fusus* Helbling a nomen oblitum was incorrect as the name had been discussed by several authors, especially after 1906 (as mentioned in the application), and it certainly was not a forgotten name. Reading the application as one who is not well acquainted with mollusc taxonomy, I wonder whether such a suppression is necessary. The name *Fusinus* Rafinesque, 1815, according to para. 14 of the application, 'has been used by most authors since the publication of Dall's 1906 paper', and it would have to make way for *Fusus* Bruguière, 1789 if *Fusus* Helbling, 1779 were suppressed. Hardly a reason for that suppression.

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I regret that I cannot support this application, as it is some 60 years too late. Had the proposal been made back when the change from *Fusus* Bruguière, 1789 to *Fusinus* Rafinesque, 1815 was first appearing in the scientific literature (e.g. Dall, 1909; Woodring, 1928) there would have been a great deal of merit in the idea. But to change back at this point, when every relevant work published in the last 60 years has used *Fusinus*, would be the height of folly.

I have a strong sense of 'déjà vu' about this application. Almost 30 years ago I reviewed (Vokes, 1964) the similar situation in the case of *Turbinella* Lamarck, 1779 and *Xancus* [Röding], 1798. In that case, after the Commission ruled (Opinion 96, 1926) that the names in Röding's *Museum Boltenianum* were available, most workers had reluctantly made the change from the long accepted name *Turbinella* to the much less known *Xancus*. Then, in 1956, an application (BZN 11: 330–332) was made to suppress *Xancus* and restore *Turbinella*. Objections were made to the effect that for the previous 30 years workers had dutifully made the change and that to go back at that point would make the 'supposedly firm ground of priority... into a quagmire' (Keen, 1957, p. 167). In spite of the objections of every malacologist who wrote, the Commission suppressed *Xancus* in Opinion 489 (1957).

In the present case the period of usage of *Fusinus* has been over 60 years. Although Petit & Wilson may be correct in their interpretation of the name *Fusus* Helbling, to 'unscramble the omelet' at this late date would do more harm than good.

Additional references

Dall, W.H. 1909. Contributions to the Tertiary paleontology of the Pacific Coast. I. The Miocene of Astoria and Coos Bay, Oregon. *United States Geological Survey, Professional Papers*, no. 59. 142 pp., 20 pls.